



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS

Voting Members:

Ron Menor, Chair
Carol Fukunaga, Vice-Chair
Ikaika Anderson
Brandon Elefante
Ann H. Kobayashi
Joey Manahan
Kymberly Marcos Pine
Heidi Tsuneyoshi
Tommy Waters

AGENDA

REGULAR MEETING
COMMITTEE MEETING ROOM
TUESDAY, JULY 23, 2019
1:00 P.M.

SPEAKER REGISTRATION

Persons wishing to testify are requested to register by 1:00 p.m. as follows:

- a. On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>
- b. By faxing to 768-3826 your name, phone number and the agenda item;
- c. By filling out a registration form in person; or
- d. By calling 768-3815.

Persons who have not registered to testify will be given an opportunity to speak on an item following oral testimonies of the registered speakers.

Each speaker is limited to one-minute presentation.

WRITTEN TESTIMONY

Written testimony may be faxed to 768-3826 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting.

If submitted, written testimonies, including the testifier's address, e-mail address and phone number, will be available to the public on both the City Council's pilot website: www.honolulucitycouncil.com, as well as the City's legacy DocuShare Website.

* * * * *

Accommodations are available upon request to persons with disabilities, please call 768-3815 or send an email to cnakazaki@honolulu.gov at least three working days prior to the meeting.

The meeting is viewable by: (1) internet live streaming through www.honolulucitycouncil.com and http://olelo.granicus.com/MediaPlayer.php?publish_id=92; (2) televised live broadcast on Olelo TV Channel 54; or (3) after the meeting, viewable at <http://www.honolulucitycouncil.tv/>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.

FOR ACTION

1. **CC-241 (2019) – DRAFT COMMITTEE REPORT AND RECOMMENDATIONS ON THE REVIEW AND EVALUATION OF THE ETHICS BOARD OF APPEALS PURSUANT TO ORDINANCE 17-44.** The Committee will take action on a draft committee report making recommendations to the Council on whether the ordinance establishing the Ethics Board of Appeals should be retained, amended, or repealed. (Action on CC-186 postponed in Committee on 05/21/19)

Related communications:

D-42 Department of Budget and Fiscal Services submitting Report, pursuant to Ordinance 17-44, attached as part of Departmental Communication 42 (2019).

D-497 Department of Corporation Counsel transmitting recommendation.

2. **RESOLUTION 19-151 – REVISED EMERGENCY OPERATIONS PLAN FOR THE LEGISLATIVE BRANCH OF THE CITY AND COUNTY OF HONOLULU.** Updating the Emergency Operations Plan for the Legislative Branch of the City and County of Honolulu, Pursuant to Council Rule 10.C.
3. **RESOLUTION 19-154 – HONOLULU AUTHORITY OF RAPID TRANSPORTATION (HART).** Urging HART to follow Charter requirements and pay for its own legal costs.
4. **BILL 35 (2019) – INTERGOVERNMENTAL AND PRIVATE GRANT AGREEMENTS.** Making certain changes to the requirements for Council approval of intergovernmental agreements and private grant agreements. (Bill passed first reading on 06/17/19)

EXECUTIVE SESSION

The Committee anticipates going into Executive Session pursuant to Hawaii Revised Statutes Sections 92-4 and 92-5(a)(4), to consult in a closed meeting with the attorneys for the Council Executive Matters and Legal Affairs Committee on questions and issues pertaining to claims and other matters on the Council's powers, duties, privileges, immunities and/or liabilities.

5. Request for authorization to settle a case against the City and County of Honolulu entitled Peer News LLC, dba Civil Beat v. City and County of Honolulu, et al., Civil No. SCAP-16-0000114 (Hawaii Sup. Ct.)
6. Request for authorization to settle a case against the City and County of Honolulu entitled Kelli M. Shibao v. City and County of Honolulu, Department of Enterprise Services, Mary E. Lewis, in her individual capacity, et al., Civil No. 18-00361 DKW/RWP (Fed Ct.)
7. Resolution to Request Additional Funds for Contract No. SC-COR-1700022 to pay for the services of Chong, Nishimoto, Sia, Nakamura, & Goya, LLP as Special Counsel for the City and County of Honolulu for representing defendants Honolulu Ethics Commission and the City and County of Honolulu in a legal action entitled Kealoha, et al. v. Tutto, et al., Civil No. 16-1-1166-6 GWBC (Cir. Ct.)
8. Resolution to Request Additional Funds for Contract No. SC-COR-1700063 to continue the Services of O'Connor & Campbell of Tempe, Arizona as Special Deputy Corporation Counsel for the Honolulu Police Department and its Custodian(s) of Record in a legal action entitled State of Arizona v. Miti Maugaotega, Criminal No. CR 2010-01172 (Superior Court of the State of Arizona, Pinal County)
9. Resolution to Retain the Legal Services of Rosen Bien Galvan & Grunfeld LLP as Special Deputy Corporation Counsel to Represent the Honolulu Authority for Rapid Transportation and Its Officers and Employees in matters relating to their official powers and duties in matters involving Federal Criminal Law

RON MENOR, Chair
Committee on Executive Matters and
Legal Affairs